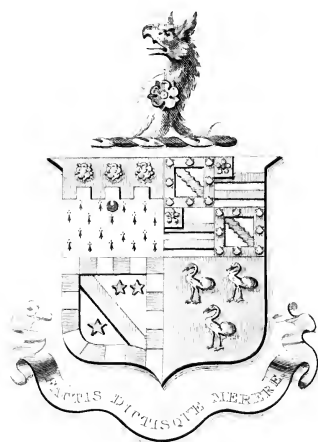


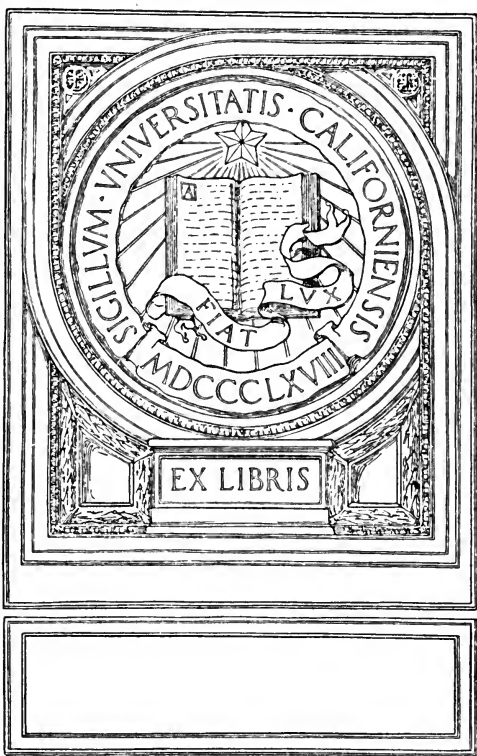
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REFORM.

SUBSTANCE OF THE

S P E E C H

DELIVERED IN

THE HOUSE OF COMMONS,

1 MARCH, 1831,

ON THE MOTION OF LORD JOHN RUSSELL FOR A REFORM
IN THE REPRESENTATION

BY

SIR ROBERT HARRY INGLIS, BART.

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A
S P E E C H

ON THE

MOTION OF LORD JOHN RUSSELL FOR A REFORM IN THE
REPRESENTATION.

March 1, 1831.

LORD JOHN RUSSELL having moved for leave to bring in a Bill to amend the Representation of the People in England and Wales : and

SIR JOHN SAUNDERS SEBRIGHT having seconded the motion :
SIR ROBERT HARRY INGLIS said ;

MR. SPEAKER,

FEW men, I believe, can rise to address the House, excited as it has been by the speech of the noble Lord, without some feeling of self-distrust. Of the cause itself which I advocate—the cause of the existing and ancient institutions of the country—I have no distrust. Yet I own that I approach the discussion of this question with a sensation of awe at the contemplation of the abyss, on the brink of which we stand, and into which the motion of the noble Lord will, if successful, hurl us. With a deep sense, therefore, of the danger of our position, I rise to endeavour to recall to the attention of the House, (for on such

a subject there can be little novelty on either side,) facts and arguments, which, urged in happier times, and by abler men, have been successful in persuading the House to resist measures similar to the present.

The noble Lord has stated that there is one peculiarity in his motion which claims the special attention of the House. I admit it. This is the first time, for nearly fifty years, that any person, invested even with the reflected light of the Government, has come down to the House formally to require the House to declare that it is incompetent to the just discharge of its legislative functions. It is the first time, for nearly fifty years, that the advisers of his Majesty have thought fit to pledge themselves, and to endeavour to pledge their Sovereign, before his people, to the doctrine, "that the House of Commons is unworthy of the confidence of the people;" is unworthy to stand between their fellow-subjects and the throne. The doctrine itself is not new; but it is now brought forward under circumstances so new, as to invest it with a character not more distinct than ill-omened.

The noble Lord has also stated, at the beginning and at the end of his speech, that the object of his motion is *demand*ed by the great majority of the people. The noble Lord has talked not only of the myriads of petitions, but of the millions of those who now come forward, I admit that he added at one time, "for their

just requests," but at another, he said, " TO DEMAND THEIR RIGHTS ;" and when I am told that the people "demand" any thing, I am reminded of Horne Tooke's expression, that "the people have hands." Sir, I will not say that this language of the noble Lord is absolutely unparliamentary ; but I will say, that it approaches as nearly to a threat, as the forms of the House can allow ; and, if suffered, will entirely annihilate our deliberative character, and will reduce us to the mere function of speaking the will of others from day to day. But I will, first, examine the fact, and then, the inference. I deny the fact ; but, if I admitted the fact, I would disclaim the inference. First, then, as to the fact, that the people of England do demand the Reform of this House. I know well that this argument has been often used before, when similar measures were brought forward ; but I notice it now more anxiously, because it is the first time that any man connected in any way with the King's councils has come down to this House to influence our deliberations on any measure of the King's Ministers, by proclaiming to us, on their authority, that the people demand its adoption.

LORD JOHN RUSSELL¹—I did not use the word "demand" with any view to intimidation ; but as another word for asking.

¹ Mirror of Parliament, p. 563.

If the noble Lord intended that “the demand of the people” was not, in its beginning and its end, a species of intimidation, I submit to the correction; but I understood, (and, possibly, the majority of those who heard the noble Lord understood) that the alternative proposed to us by this reference to the demands of the people was either submission to those demands, or convulsion if they should be rejected. But to revert to the fact; are the people of England now more clamorous for Reform than they have been on former occasions? Every man always regards his own times as the best or as the worst: he sees what is before him; he forgets, or he never knew, what is passed. The consequence is, that for a succession of generations we have a succession of declamations about “misgovernment, unexampled decay of trade, profligate expenditure, corruption, &c.” so like each other, that it would be really worth while to reprint in 1831 some of the earlier elegies of the ruin of England, changing the date only from 1731 to the present year. So again with respect to Reform,—I will not trouble the House by a detail of the different æras when this cry has been loud, so loud that, if not equal to that now existing, it was at least sufficient to disturb the kingdom, inflamed as it was by statements, that “no country was ever so ill-governed, no people ever so oppressed, denied the last melancholy privilege of complaining,” though, in fact,

they were then, as they are now, allowed to make, and were making fearlessly, complaints amounting almost to sedition.

Without going back to the time of Bolingbroke and Walpole, I will produce one passage from Burke which might almost be transferred *totidem verbis* to the present day :

“ Nobody, I believe, will consider it merely as the language of spleen, or disappointment, if I say, that there is something particularly alarming in the present conjuncture. There is hardly a man, in or out of power, who holds any other language.” * * * *

“ That we know neither how to yield, nor how to enforce ; that hardly any thing above or below, abroad or at home, is sound and entire ; but that disconnection and confusion, in offices, in parties, in families, in parliament, in the nation, prevail beyond the disorders of any former times : these are facts universally admitted and lamented.

“ This state of things is the more extraordinary, because the great parties which formerly divided and agitated the kingdom, are known to be in a manner entirely dissolved. No great external calamity has visited the nation, no pestilence, or famine. We do not labour, at present, under any scheme of taxation, new or oppressive, in the quantity or in the mode. Nor are we engaged in unsuccessful war, in which our misfortunes might easily pervert our judgment ; and our minds, sore from the loss of national glory, might

feel every blow of fortune as a crime in government¹."

One should think on reading such a passage from such a man, that the end of the world, or at least of this kingdom, had arrived. Yet, by God's blessing, we survived the crisis, and look back with surprise on the exaggeration which had so described it.

Again, read the Yorkshire address, at the close of the American war; look at the addresses from half the counties of England, and at the men who at that day were the leaders of the people². Look at the declaration of a Lord-Lieutenant that the houses of counter-addressers should be marked; the exhortation to householders to provide themselves with arms; the advice that "each man should keep a fire-lock in the corner of his bedroom, and should learn to fire and charge with bayonet firmly and regularly" against those who in his day resisted this cry of Reform³.

Again, more specifically when this very Bill of

¹ *Thoughts on the Cause of the present Discontents*. 1770. Burke, 8vo. ii. 219.

² The Duke of Rutland in Cambridgeshire; the Earl of Surrey, afterwards Duke of Norfolk, in Cumberland; Sir Thomas Acland in Devonshire; Sir Geo. O. Paul in Gloucestershire; the Duke of Richmond in Sussex. See the entire list of forty-one counties in the *Memoirs of Granville Sharp*, 4to. 1820. p. 195.

³ The advice of no less a man than Sir W. Jones. *Jones's Works*, iv. 576*.

Reform was in this House in 1782, we were told that unless we passed it, we were ruined; we were reminded of the Briareus hands of the multitude; we were told that we had one hour to deliberate before we surrendered. These were almost the words of Horne Tooke. He is writing to Dunning:

“The people must be satisfied in their just expectations, and most surely will be so. Ministers will surely grant with a good grace what cannot be much longer withheld. They will at least, (if not infatuated,) catch the present fortunate opportunity,” &c. &c. “They will not wait to be received with scorn and hootings for their offer to us of that which we should now receive with gratitude. *I will venture to assert that they have no time to lose.* If they are timely wise, they will yet give to the people their sober, moderate, fair and honest rights¹.” We resisted the cry, and, by God’s blessing, we are safe.

Again, in 1793 what was the cry? how was it raised, how urged on, how subdued? Look at the words of Condorcet; he was writing on the 23d Nov. 1792:

“Since the explosion of liberty in France a hollow fermentation has shown itself in England, and has more than once disconcerted all the ministerial operations. Popular societies have been established in the three kingdoms, and a Parlia-

¹ Horne’s Letter to Dunning, 1782, p. 32—33. 36.

mentary Reform has been talked of, (just in the same manner as at the end of the year 1788 we in France talked of the necessity of calling together the States General). It is well known what a number of persons there are who think rightly, and daily enlighten the people of England, and whose opinions furnish subjects for useful disputation. This people, who at once fear and desire such a revolution as ours, will necessarily be drawn along by those courageous and enlightened persons, who always determine the first steps; the opening of the Session of Parliament which approaches, will infallibly become the occasion of the reforms which are the most urgent; such as those which regard the National Representation: —*from thence to the entire establishment of a Republic* the transition will be the less tedious, because the foundations of liberty have long existed in England¹.”

That cry for Reform was then raised by sympathy with revolutionary France; it was said triumphantly in France to lead here to a republic; it was urged on here by men of at least as much talent as the present: it was subdued under a good Providence by the firmness and virtue of the Government.

Again, in 1819, the Manchester meeting was preceded, attended, followed, by almost insurrectionary movements throughout the manufacturing

¹ Collection of Addresses, 4to. 1793, p. 10.

districts. Look at the periodical press of London at that time : is it more formidable now ? Yet the danger was met, averted, and beaten down. Look again at 1823, when a foreign excitement was superadded to domestic distress ; and the cry for Reform, as “ the great remedy,” was then also represented to be universal.

These are instances sufficient to prove that this is not the first time, when the people have been represented as clamorous for Reform ; they prove also that those clamours have been silenced without concession : and for one, I can see no reason why they might not now, whatever be their present violence, be silenced with equal success by equal spirit. “ Faction,” as Burke has told us¹, “ will make its cries resound through the nation, as if the whole were in an uproar, when by far the majority, and much the better part, will seem for awhile annihilated, by the quiet in which their virtue and moderation incline them to enjoy the blessings of Government.”

I do not deny that there does exist at this time, considerable agitation on this subject through the country ; a state of diseased and feverish excitement : but I do deny that it is general, in the sense of the noble Lord ; and I see clearly the temporary causes in which it has arisen. All are to be found in the three days of Paris ; and in the

¹ Thoughts on the Cause of the present Discontents. 1770. Works, ii. 267.

revolution, which, in Belgium also, was the consequence of those days. This effect is not new in our later history ; whenever, indeed, there has been any insurrection in any other country—as ten or twelve years ago in Naples and in Piedmont², it has been found to be epidemic, conveyed with more or less virulence and rapidity to other parts, and, as such, brought to this kingdom, by what means, I know not ; but this, at least, is clear, that, almost at the same time, popular movements are found here and in the one half of Europe, whenever they arise any where in the other half.

I am, therefore, not prepared to admit the statement, that the great mass of the people are eager for Reform. Of this I am quite sure, that the number of public meetings on the Roman Catholic question, the number of their petitions, the number of names subscribed to them, exceeded all that we have yet seen in respect to Reform. But if I were to admit the fact, that the great mass of the people were now eager for Reform, I should deny the conclusion. This House would not be bound by the cries of a majority of the people to decide in favour of any change. The distinction which I always took as to the value of petitions was this, that, where the parties sought for no more than the conservation of blessings which they actually enjoyed, they

² Edinb. Rev. xxxiv. 461. Art. Lord John Russell's Speech, 1819. "The establishment of new constitutions in foreign countries, increases the general importance of this subject, &c."

were entitled to great weight ; but, where they sought for change, (change, the nature and the necessity for which could be ascertained only by deliberation) the petitions of large bodies of men are not necessarily entitled to the same weight as are petitions praying that there may be no change. I never will admit that any man has such good means of judging in respect to what he has not, as in respect to what he has : and, the mere multiplication of numbers, asking for what they have not, can never, without reference to the reasons which they urge, be an argument to which a deliberative body can be justified in yielding. The allusion is almost too trite to be used ; but I might remind the noble Lord, that there may be a tyranny of many as well as of one ; and that it is as much the part and the duty of a brave and wise man, to resist the *civium ardor prava jubentium*, as the *vultus instantis tyranni*.

This House is not a collection of deputies, as the States General of Holland, and as the assemblies in some other continental countries. We are not sent here day by day to represent the opinions of our constituents. Their local rights, their municipal privileges, we are bound to protect : their general interests we are bound to consult at all times ; but not their will, unless it shall coincide with our own deliberate sense of right. We are sent here with a large and liberal confidence ; and when elected, we represent not the particular place only for which we are returned,

but the interests of the whole empire. We are sent here to legislate, not for the wishes of any set of men, but for the wants and the rights of all. When usage and legal decisions, superseding an express statute¹, severed the connection between the borough and the candidate, and left the borough at liberty to choose any man from any other spot, there ceased to be any pretence for regarding the party elected, as elected for a small or for a great place; he became, and now becomes, when he enters this House, every one of us, the representative of all the people of England. The words of the King's writ² to the returning officer of us all, are, that he should duly cause election to be made of persons to treat;—not about Newton in Lancashire, or Newton in Hampshire; Newport in Cornwall, or Newport in the Isle of Wight: but about “certain arduous and urgent affairs concerning us, the state, and defence of our Kingdom, and the Church.” If in our conduct there be error, our constituents have their remedy at a dissolution. At that time we surrender our stewardship to those by whom it was committed to us; and receive it again, or not, according to their will, and their estimate of our conduct.

The fact is, that no mistakes are more common,

¹ 1 Hen. V. c. 1. (see 8 Hen. VI. c. 7. §. i.) confirmed 23 Hen. VI. c. 14.; but Lord Coke holds that a Member sits for the whole County, 4 Inst. p. 14.

² Roe on Elections, ii. App. v.

or, at the same time more real, than those connected with the state of the Commons House of Parliament. Men create theories and adore them; they make beautiful statues, and fall in love with them ;

Faultless monsters that the world ne'er saw.

They raise a golden image, and call on us to worship it. Our system is unwritten—it is to be extracted from our history. The King's Writs, the King's Charters, the Statutes of the Realm, these, and the practice of centuries, form our Constitution. We have no one formal document, to which we refer as embodying it: we have no authoritative exposition of it. Montesquieu and Delolme are not our authorities: not even Blackstone. Our Constitution is not the work of a code-maker; it is the growth of time and events beyond the design or the calculation of man: it is not a building, but a tree; the constitutions of the other free States in the old and in the new world are the works of art, and have hitherto acted imperfectly, even in the countries to which they are applied; but *that* is not the question here. We are to consider our own condition, and the application of our Government to it; and I state distinctly, that, whatever may be the doctrine of others, and however high their names, there is, so far as I know, no evidence that our House was ever selected upon any principle of a representa-

tion of population, or upon any fixed principle of representation whatever.

The noble Lord has said, that he grounds his plan on the practice of our ancestors; and that, on the very system upon which they called on Old Sarum and Gatton to return members, he calls on Manchester and on Leeds. I can only reply, that I know no record, and can see no probability, to shew that in either of these cases, or in any case, population was an element in the calculation of those by whom this House was first assembled. I know, indeed, that it has been held by no less an authority than Mr. Hallam, that “if, on running our eyes along the map, we find any sea-port, as Sunderland or Falmouth, or any inland town, as Leeds or Birmingham, which has never enjoyed the elective franchise, we may conclude at once that it has emerged from obscurity since the reign of Henry VIII.¹” but I venture to doubt the accuracy of the assertion; and I think I can shew that small towns were preferred, and great towns, towns great at the time, were neglected, a century and a half before the House of Commons of England was full.

When the enormous wealth of the Crown (A) was in part dissipated, kings, wanting money and men, called together those who were either to supply them, or to bind and influence others to supply them. First, they called the free barons, the

¹ Hallam's *Constit. Hist.* 4to. vol. ii. p. 380.

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